
STH 36/83 NORTH CORRIDOR PLAN

CITY OF BURLINGTON
Racine County, Wisconsin

April 1999

Prepared by:

MEEHAN
& COMPANY, I N C .

☐ PLANNING ☐ DESIGN ☐ ZONING ☐

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INTRODUCTION

In late November 1997, the City of Burlington commissioned Meehan & Company, Inc. to prepare a detailed land use plan for the STH 36/83 North Corridor area located within the planning jurisdiction of the City. Work on that Plan continued during 1998.

The resulting STH 36/83 North Corridor Plan is intended to be an element of the City of Burlington Master (Comprehensive) Plan.

The STH 36/83 North Corridor Plan relates to those areas illustrated on Map 1. The planning area is generally located contiguous to the northeast side of the City of Burlington in both the City and Town of Burlington along the STH 36/83 north corridor in parts of U.S. Public Land Survey Sections 15, 21, 22, 23, 27, and 28 of Town 3 North, Range 19 East, Town of Burlington, Racine County, Wisconsin.

The work program for the preparation of the STH 36/83 North Corridor Plan initially consisted of the following six major components:

1. Preparation of the Base Map of the Subject Property
2. Preparation of Site Analysis Sketch
3. "Alternative Concept Plan" Development
4. Preparation of the "Site Layout Plan"
5. Preparation of Final Detailed Land Use Plan Report
6. Meetings and Public Hearings

An optional element of the plan was to determine the maximum achievable building square footages, potential valuations and costs, and tax impacts to the City.

An up-to-date cadastral (property boundary) map and a topographic map (contour interval of 2 feet) of the subject property at a scale of 1" = 400' were supplied to Meehan & Company, Inc. by the City of Burlington Engineering Department. A composite reproducible base map of the subject property was then prepared by Meehan & Company, Inc. for use in the project.

SITE ANALYSIS

A Site Analysis Sketch (see Map 2) which identifies physical site limitations and opportunities was prepared for the planning area. In general, issues examined include general land uses, natural resource features (environmental corridors and isolated natural areas), visual impact areas, vehicular and pedestrian access, circulation and linkages to other uses, bufferyards, the existing State Trunk Highway right-of-way, property boundaries, etc. The "Site Analysis Sketch" is an important tool used for developing the detailed land use plan for the STH 36/83 North Corridor area. Various features and components of the Site Analysis Sketch are described in the next several sections.

Environmental Corridors and Isolated Natural Areas

All primary environmental corridors, secondary environmental corridors, and isolated natural area delineations appearing on Map 2 are based upon the Southeastern Wisconsin Regional Planning Commission's (SEWRPC) 1990 delineations (the most up-to-date SEWRPC delineations available).

MAP 1

STH 36/83 NORTH CORRIDOR PLAN PLANNING AREA

Source: City of Burlington and Meehan & Company, Inc.

MAP 2
SITE ANALYSIS SKETCH
STH 36/83 NORTH CORRIDOR PLAN PLANNING AREA

Source: Meehan & Company, Inc.

SEWRPC's delineated environmental corridors and isolated natural areas in the STH 36/83 North Corridor Plan planning area encompass those areas containing concentrations of recreational, aesthetic, ecological, and cultural resources. Such delineated environmental corridors and isolated natural areas should generally be preserved and protected in essentially natural open uses. Such areas normally include one or more of the following seven elements of the natural resource base which are essential to the maintenance of both the ecological balance and natural beauty of an area:

- Lakes, rivers, streams, and their associated shorelands and floodlands.
- Wetlands.
- Woodlands.
- Prairie.
- Wildlife habitat areas.
- Wet, poorly drained, and organic soils.
- Rugged terrain and high-relief topography.

Five additional elements which are also considered include: 1) existing park and open space sites; 2) potential park and open space sites; 3) historic sites; 4) scenic areas and vistas; and 5) natural and scientific areas. A detailed description of how environmental corridors, and their subordinate isolated natural areas, are delineated is presented in the SEWRPC's Technical Record (Vol. 4, No. 2, March 1981, pp. 1-21).

Primary environmental corridors include a wide variety of the important natural resource and resource-related elements and are at least 400 acres in size, two miles in length, and 200 feet in width.

Secondary environmental corridors generally connect with primary environmental corridors and are at least 100 acres in size and one mile in length.

Isolated natural areas are at least five acres in size and consist of those smaller concentrations of natural resource base elements that are separated physically from environmental corridors by either open land or development.

As indicated on Map 2, primary environmental corridors are located along both sides of the existing STH 36/83 right-of-way as well as along the Fox River. A significant area of primary environmental corridor lies between S. Browns Lake Drive (CTH W) and the Fox River. These corridors further reinforce the Fox River as a major barrier which traverses the planning area. Because the primary environmental corridors are so significant within the planning area, their impact on the design of the planning area is equally significant.

There are no secondary environmental corridors in the planning area. There are no isolated natural areas in the planning area. However, there is a small isolated natural area located on the northwest side of Teut Road just outside the planning area.

100-Year Recurrence Interval Floodplains

Within the planning area, 100-year recurrence interval floodplain delineations are located predominantly within or contiguous to delineated primary environmental corridors. 100-year recurrence interval floodplain delineations are indicated on Map 1 and are based upon delineations set forth on the Racine County topographic maps furnished Meehan & Company, Inc. by Racine County in 1997. Similar to the development limitations imposed upon the planning area by the existing primary environmental corridors described earlier, these floodplain areas and their attendant regulatory measures will also have direct impact upon limiting the growth and development which take place in the planning area.

River, Streams, and Drainageways

The existing river (the Fox River), streams, and drainageways are graphically identified on Map 2. The river, streams, and drainageways generally include floodways, 100-year floodplains, shorelands, and wetlands. These features are overlapping and form a continuous system of drainage. The river, streams, and drainageways not only accommodate drainage flow but also provide shelter to wildlife. The identified river, streams, and drainageways in the planning area also place limitations on future development.

Wetlands and Shoreland Wetlands

Wetlands are defined as areas that are inundated or saturated by surface or groundwater at a frequency and with a duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands include swamps, marshes, bogs, sedge meadows, and similar areas. Precipitation, in the form of rain or snow, provides water to wetlands, becoming surface water runoff or percolating through the soil to become groundwater seepage. Wetlands may receive mostly surface water--direct precipitation, overland flow, and floodwaters--or mostly groundwater that infiltrates and moves through the ground. The location of the wetland in the landscape affects the type of water received. Wetlands can occur on slopes as well as in depressions. Significant wetland areas are located within the STH 36/83 North Corridor Plan planning area within delineated primary environmental corridors and associated with the Fox River.

Wetlands have an important set of natural functions which make them a particularly valuable resource. These functions may be summarized as follows:

- Wetlands enhance water quality. Aquatic plants change inorganic nutrients such as phosphorus and nitrogen into organic material, storing it in their leaves or in the peat which is composed of their remains. The stems, leaves, and roots of these plants also slow the flow of water through a wetland, allowing suspended solids and related water pollutants to settle out. Thus, the destruction of wetlands may be expected to adversely affect the quality of surface waters in the area.
- Wetlands regulate surface water runoff, storing water during periods of flood flows to release such waters during periods of dryer weather. Thus, wetlands help to stabilize stream flows.
- Wetlands provide essential breeding, nesting, resting, and feeding grounds and predator escape cover for many forms of wildlife. Thus, they contribute to the overall ecological health and quality of the environment of the area, as well as providing recreational, research, and educational opportunities and adding to the aesthetic quality of the area.
- Wetlands may serve as groundwater recharge and discharge areas.

Wetlands must be protected because of their role as water-flow managers and wildlife habitats. The U.S. Army Corps of Engineers and the Wisconsin Department of Natural Resources identify wetlands by vegetation type--as required by federal law.

Wetlands must be protected and should rarely be filled. All wetlands need a certain amount of maintenance when their natural maintenance mechanisms have been removed with the encroachment of development. In certain instances, periodic burning is recommended. Natural diversity often needs to be restored; thus, it is typically good practice to introduce additional native species into wetlands under some conditions. Flexibility in the design of developments is encouraged in order to preserve open spaces around wetlands and to minimize encroachment by development. Wetlands should be protected and there should be minimal development permitted for a distance of approximately 50 feet from the edge of a wetland.

The definition of shorelands, pursuant to the Wisconsin Department of Natural Resources' "Wisconsin Shoreland Management Program," states that shorelands are "lands within the following distances from the ordinary high-water mark of navigable waters: 1,000 feet from a lake, pond or flowage; and 300 feet from a river or stream or to the landward side of the flood plain, whichever distance is greater." "Shoreland wetlands" are wetlands (as described above) located within these shoreland areas. State laws mandate that shoreland wetlands be protected.

Woodlands

There are significant woodland areas within the STH 36/83 North Corridor Plan planning area. These woodlands are located within the delineated primary environmental corridor. Within the STH 36/83 North Corridor Plan planning area, woodlands and forests have many important roles. These roles include:

- Environmental moderators by buffering the potential impacts of damaging phenomena such as soil erosion, pollution, and severe weather. They are especially important in areas where they aid in slowing water flows and reducing flooding, providing a soil that minimizes runoff, stabilizing and

enriching the soil, breaking wind velocities, absorbing pollutants, and moderating the intense effects of solar radiation.

- Moderators of the visual and audio impacts of the man-made environment by buffering the potential adverse impacts of damaging phenomena such as noise, air pollutants, and visual pollution as the STH 36/83 North Corridor Plan planning area develops.
- Functions in many of the biological cycles, such as the energy, oxygen, nitrogen, and carbon cycles.
- The provision of essential habitats for numerous varieties of plants and animals and the assurance of landscape and environmental diversity. These habitats are important for wildlife and plant community conservation and general environmental health.
- Assisting in the preservation of the natural landscape character of the STH 36/83 North Corridor Plan planning area.

The pre-settlement vegetation that existed in Wisconsin at the time of the first government land survey consisted principally of forest and grassland. The forest was composed of three major types: boreal forests, mixed coniferous-deciduous forest, and deciduous forest. These three types of forest, together with grassland, made up the four large vegetation groups in Wisconsin.

The major type of pre-settlement vegetation found in the STH 36/83 North Corridor Plan planning area was, and still is, the deciduous forest. The predominant pre-settlement vegetation of the STH 36/83 North Corridor Plan planning area consisted of Oak Forest (White Oak, Black Oak, and Bur Oak). This was the dominant deciduous forest type found in the area in pre-settlement times and remnants of this forest type exist today.

With all these important functions, woodlands should be preserved or established wherever possible. Land to be developed that was previously farm field should be landscaped with trees in order to provide the residential subdivision or commercial property with its own source of woodland protection and benefits. Developable land with existing woodlands should be strictly regulated so that there is as little disturbance to the woodland as possible.

Where development is allowed to occur in woodland and forest areas, it should occur using lot clustering so as not to disrupt the environment any more than necessary. Natural resource protection standards should be used to protect woodlands and forests in the STH 36/83 North Corridor Plan planning area in order to assure that these resources are afforded the level of protection from destruction of which they are worthy.

Disturbance of woodlands in the STH 36/83 North Corridor Plan planning area should be kept to a minimum due to their sensitivity and their importance in maintaining the character of the area and improving the valuation of property (commercial and residential) of the area.

Soils

Soil is defined as a dynamic, natural body on the surface of the earth in which plants grow, composed of mineral and organic materials and living forms. Soil properties exert a strong influence on the manner in which man uses land. Soils are an irreplaceable resource, and mounting pressures upon land are constantly making this resource more and more valuable. The publication prepared by the Soil Conservation Service of the U.S. Department of Agriculture titled Soil Survey: Kenosha and Racine Counties, Wisconsin (Washington, D.C.: U.S. Government Printing Office, December 1970) indicates all of the various soils types found in the STH 36/83 North Corridor Plan planning area. Soil types in the STH 36/83 North Corridor Plan planning area are also indicated in the publication titled Soils of Southeastern Wisconsin (Waukesha, Wisconsin: SEWRPC, June 1966) and its subordinate 1" = 1000' soils inventory maps. Both of these area wide surveys identify locational, physical, and chemical properties of the STH 36/83 North Corridor Plan planning area's soils and interpret these properties with respect to land use and facilities planning as well as for vegetation purposes.

Within the STH 36/83 North Corridor Plan planning area, there is one soils association identified using the U.S. Department of Agriculture's Soil Survey: Kenosha and Racine Counties, Wisconsin (Washington, D.C.: U.S. Government Printing Office, December 1970). This association is the Fox-Casco. The Fox-Casco association is characterized by well-drained soils that have a clay loam and silty clay loam subsoil. It is moderately deep to shallow over sand and gravel on stream terraces.

Steep Slopes

Slope is defined as the degree of deviation of a surface from the horizontal, usually expressed in percent or degrees. Slope, to a considerable extent, determines the land uses practicable on a given parcel of land. Slope is directly related to water runoff, slope stability, and erosion hazards and, therefore, the type and extent of land uses should be carefully adjusted to the slope of the land. In general, slopes of ten percent or more are unsuitable for development and most agricultural uses; these slopes should be maintained as essentially natural, open areas for wildlife habitats and erosion control. Lands with less severe slopes may be suitable for certain open space uses, such as pasture lands, and for certain development, such as carefully designed low-density residential areas. Lands which are gently sloping or nearly level are, typically, best suited for development.

For detailed site and land planning purposes, all slopes should be determined from on-site topographic surveys prepared and graphically shown with no greater than a two-foot contour interval. Detailed topographic maps are available through Racine County for the STH 36/83 North Corridor Plan planning area. Thus, the precise determination of slope on any individual parcel of land can be easily and precisely determined. For the purposes of this STH 36/83 North Corridor Plan planning area plan, no land area in the STH 36/83 North Corridor Plan planning area is considered a steep slope unless the steep slope area has at least a 10-foot vertical drop and has a minimum area of 5,000 square feet. In general, steep slope areas in the STH 36/83 North Corridor Plan planning area are small and are scattered on small parcels.

Barriers and Edges

The planning area has several important barriers, or edges, which will assist in both framing and limiting growth and development in the STH 36/83 North Corridor Plan planning area (see Map 2). These barriers include:

- The existing STH 36/83 right-of-way which extends in a general northeast/southwest direction. This right-of-way poses a constraint for both vehicular and pedestrian traffic to cross.
- The existing, approximately 100-foot wide Racine County bike path right-of-way located parallel to the southeast side of STH 36/83.
- The SEWRPC-delineated primary environmental corridor which also extends in a general northeast/southwest direction along long segments of the STH 36/83 right-of-way.
- The Fox River, southeast of the STH 36/83 right-of-way.
- To a lesser extent than the barriers listed above, S. Browns Lake Drive (CTH W) forming the southeastern edge of the STH 36/83 North Corridor Plan planning area and Teut Road forming the northwestern edge of the STH 36/83 North Corridor Plan planning area.

View Corridors and Landmarks

Important and critical view corridors are also graphically identified on Map 2. These view corridors include STH 36/83 and S. Browns Lake Drive (CTH W). The STH 36/83 corridor is a primary entrance to the City of Burlington and is planned to become a significant economic area important to the overall economy of both the City and surrounding area. This view corridor fosters significant public view of the development activity--good or bad--which takes place in the planning area. The S. Browns Lake Drive (CTH W) view corridor is also important since it affords an excellent view of the various natural features of the area including the Fox River. It will be necessary to protect the value of the adjacent land areas to both of these visual corridors from potential destabilizing factors.

Therefore, along these view corridors it will be important to maximize landscaping, setbacks, bufferyards, etc. in order to preserve (to the extent practicable) the visual character of the area and the public image of the City of Burlington and surrounding environs. Map 2 graphically indicates the general location of potential landscaped bufferyards and increased setbacks to protect the various view corridors identified on Map 2. The potential landscaped bufferyards and increased setbacks identified are also important to accommodate transitions between heavily traveled roads and various types of land uses as well as serving as transitional areas between abutting land uses of differing intensities.

The STH 36/83 North Corridor Plan planning area has two significant visual landmarks--the St. Francis Retreat Center (a man-made visual landmark) and Browns Lake (a natural landmark). These two landmarks provide for much of the unique identity of the planning area. The importance of these two landmarks to the identity of the area should be reinforced, when possible, by the development which takes place in the area.

Significant Intersections

Map 2 graphically identifies the location of significant highway and other significant existing street intersections. For planning purposes it is important to consider these intersections relative to the location of various planned land uses, planned street locations, and potential vehicular access points. Within the planning area, there are two significant highway intersections--the intersection of STH 36/83 with S. Browns Lake Drive (CTH W) and the intersection of STH 36/83 with Teut Road. Other significant intersections are located at the intersections of:

- S. Browns Lake Road (CTH W) and Teut Road.
- S. Browns Lake Road (CTH W) and Plank Road (CTH A).
- S. Browns Lake Road (CTH W) and Ketterhagen Road.
- S. Browns Lake Road (CTH W) and Cedar Drive.

Two of the mentioned intersections--the intersection of S. Browns Lake Road (CTH W) and Teut Road and the intersection of S. Browns Lake Road (CTH W) and Cedar Drive--however, are formed at an acute angle and need a better alignment for traffic circulation purposes. Such realignment, however, would require detailed traffic engineering studies and may also require the acquisition of additional right-of-way area in order to accommodate the geometrics which would be involved in achieving a better alignment.

Vehicular Access and Linkage of Property to the Public Street System

Existing vehicular access points are indicated on Map 2. As can be noted by examination of Map 2, the southwestern segment of the STH 36/83 public street rights-of-way has numerous access points within short distances of one another. Such numerous access points in such a small section of the highway tend to adversely impact the abutting public street facilities in terms of the introduction of too many points of potential vehicular conflicts, the reduced speed, and carrying capacity of the street system.

Other Issues and Factors

Some other planning issues and limitations identified on Map 2 include the identification of:

- Existing small lots which pose difficulty for accommodating large-scale nonresidential uses unless the lots are combined into larger parcels of land. These small lots can also affect the placement of new public streets in the planning area.
- Existing small scattered residential areas which pose the possibility of conflicting land uses with the future nonresidential uses contemplated for the planning area.
- Elongated small lots which pose difficulties for resubdivision.

CONCEPT PLAN DEVELOPMENT

General

For the STH 36/83 North Corridor Plan planning area, two "Alternative Concept Plan" drawings--Alternative Concept Plans A and B--were initially prepared for City staff review and input. Following staff review of the two "Alternative Concept Plans," Meehan & Company, Inc. prepared a "Concept Plan" (see Map 3) which combined the best attributes of the earlier two "Alternative Concept Plans." The "Concept Plan" was presented to the Plan Commission for review and consideration at its meeting of April 14, 1998 and it was the consensus of the Plan Commission to prepare a detailed "Site Layout Plan"

based upon the "Concept Plan."

The "Concept Plan" (Map 3) sets forth the general types, locations, and extent of various land uses which could be accommodated in the planning area. Approaches to land uses, natural resource feature preservation, visual impact areas, vehicular access, circulation and linkages to other uses, bufferyards, the existing highway and street rights-of-way, and property boundaries are addressed by the "Concept Plan."

Planned Land Uses of the "Concept Plan"

Map 3 graphically illustrates the planned land uses for the "Concept Plan" STH 36/83 North Corridor Plan planning area. Map 3 indicates the general location of two new planned vehicular access/linkage points with STH 36/83. As can be noted from Map 3, the "Concept Plan" indicates that the planning area is divided into 12 subareas--each subarea with a general type of land use indicated.

The salient characteristics of each of the 12 subareas of the "Concept Plan" are summarized in Table 1.

The following definitions will assist in the understanding of the various residential and nonresidential design criteria and terms set forth in Table 1. The terms are defined as follows:

- Cluster/Open Space Subdivision. A residential subdivision with a required minimum open space ratio as well as other design features which foster compact development.
- Conventional Subdivision. A residential subdivision with no required minimum open space ratio.
- Open Space. Any site, parcel, area, or outlot of land or water essentially unimproved and set aside, dedicated, designated, or reserved for the public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space. Land that is to be used primarily for resource protection, agriculture, recreational purposes, planned stormwater detention/retention areas, or otherwise left undisturbed and specifically excluding road rights-of-way and buildable lots. Open space land would not be occupied by nonrecreational buildings, roads, drives, public rights-of-way, or off-street parking areas for nonrecreational uses. Land located within the yards (i.e. front, side, rear yards) of residential and/or nonresidential properties is not considered open space unless it is deed restricted in perpetuity for open space protection or natural resource features protection. Where lots are above the minimum lot size required and the excess lot area is deed restricted in perpetuity to open space uses, those areas which are deed restricted may be counted towards the minimum required open space.
- Open Space Ratio (OSR). In residential developments, the number derived by dividing the open space of the site by the base site area. When applied to natural resource protection, the open space ratio shall include the natural resource feature(s) to be protected. Minimum requirements for open space ratios are set forth for the various zoning district types in Table 2.
- Landscape Surface Ratio (LSR). On nonresidential lots, the minimum proportion of a site which must be devoted to natural, undisturbed and/or vegetated/revegetated areas, and can include planned stormwater detention/retention ponds. Such areas do not include areas which are paved or upon which buildings are located.

MAP 3

CONCEPT PLAN FOR THE
STH 36/83 NORTH CORRIDOR PLAN PLANNING AREA

Source: Meehan & Company, Inc.

TABLE 1
CONCEPT PLAN FOR THE
STH 36/83 NORTH CORRIDOR PLAN PLANNING AREA

Subarea Identification Number (see Map 3)	Characteristics of Subarea				
	Land Use Types	Minimum Landscape Surface Ratios (LSR) or Open Space Ratio (OSR) Required	Landscaped Bufferyards	Planned Vehicular Access Limitations to Abutting Public Street	Other Comments
1	Redevelopment Area Requiring Vehicular Access Management Plan	20% LSR	● Along STH 36/83.	● Yes, along STH 36/83.	● Existing lots may need to be combined in order to properly redevelop this area. ● Shared vehicular driveway access between neighboring parcels to be achieved.
2	Retail Sales/Services	25% LSR	● Along STH 36/83 and between this Subarea and Subarea 3.	● Yes, to two locations indicated on Map 3 to access STH 36/83.	● Wetland area on northeast side of property to be preserved.
3	Single-Family Residential	0% OSR	● Along STH 36/83 and between this Subarea and Subarea 2.	● Yes, to use shared access with Subarea 2.	● Primary environmental corridor to be preserved.
4	Highway Service Commercial	25% LSR	● Along STH 36/83 and S. Browns Lake Drive (CTH W).	● Yes, to the extent that existing conditions and already permitted access allow.	
5	Highway Service Commercial	25% LSR	● Along STH 36/83 and S. Browns Lake Drive (CTH W).	● Yes, all direct vehicular access to be from S. Brown Lake Drive (CTH W).	● Direct shared vehicular access linkage to Subareas 6 and 7.
6	Institutional	35% LSR	● Along STH 36/83.	● Yes, all direct vehicular access to be from S. Brown Lake Drive (CTH W).	● Direct shared vehicular access linkage to Subareas 5 and 7. ● Primary environmental corridor to be preserved. ● Special stream protection measures may need to be taken.

<p style="text-align: center;">TABLE 1</p> <p style="text-align: center;">CONCEPT PLAN FOR THE STH 36/83 NORTH CORRIDOR PLAN PLANNING AREA</p>					
Subarea Identification Number (see Map 3)	Characteristics of Subarea				
	Land Use Types	Minimum Landscape Surface Ratios (LSR) or Open Space Ratio (OSR) Required	Landscaped Bufferyards	Planned Vehicular Access Limitations to Abutting Public Street	Other Comments
7	Low-Density Residential Condominiums	40% OSR	<ul style="list-style-type: none"> ● Along S. Browns Lake Drive (CTH W). 	<ul style="list-style-type: none"> ● Yes, all direct vehicular access to be from S. Brown Lake Drive (CTH W). 	<ul style="list-style-type: none"> ● Direct shared vehicular access linkage to Subareas 5 and 6. ● Pedestrian access/linkage to the Fox River. ● Primary environmental corridor to be preserved. ● Special stream protection measures may need to be taken.
8	Low-Density Residential Condominiums	40% OSR	<ul style="list-style-type: none"> ● Along Plank Road (CTH A) and S. Browns Lake Drive (CTH W). 	<ul style="list-style-type: none"> ● Yes, all direct vehicular access to be from Plank Road (CTH A). 	<ul style="list-style-type: none"> ● Pedestrian access/linkage to the Fox River. ● Primary environmental corridor to be preserved. ● Special stream protection measures may need to be taken.
9	Mixed Use Retail Sales, Service, & Office	25% to 30% LSR	<ul style="list-style-type: none"> ● Along STH 36/83 and S. Browns Lake Drive (CTH W). 	<ul style="list-style-type: none"> ● Yes, all direct vehicular access to be from a planned new public street right-of-way on the south of the Subarea. 	<ul style="list-style-type: none"> ● Direct shared vehicular access linkage to Subarea 10. ● Pedestrian access/linkage to the Fox River. ● Primary environmental corridor to be preserved (Fox River corridor). ● Special stream protection measures may need to be taken.

<p style="text-align: center;">TABLE 1</p> <p style="text-align: center;">CONCEPT PLAN FOR THE STH 36/83 NORTH CORRIDOR PLAN PLANNING AREA</p>					
Subarea Identification Number (see Map 3)	Characteristics of Subarea				
	Land Use Types	Minimum Landscape Surface Ratios (LSR) or Open Space Ratio (OSR) Required	Landscaped Bufferyards	Planned Vehicular Access Limitations to Abutting Public Street	Other Comments
10	Low-Density Residential Condominiums	40% OSR	● Along STH 36/83.	● Yes, all direct vehicular access to be from two locations: from STH 36/83 and from a planned new public street right-of-way at the southeast corner of the Subarea.	● Direct shared vehicular access linkage to Subarea 9 and 11. ● Pedestrian access/linkage to the Fox River. ● Primary environmental corridors to be preserved. ● Special stream and woodland protection measures may need to be taken.
11	Restaurant	25% LSR	● Along STH 36/83.	● Yes, all direct vehicular access to STH 36/83.	● Direct shared vehicular access linkage to Subarea 10. ● Pedestrian access access/linkage to the Fox River and to Subarea 12. ● Primary environmental corridors to be preserved. ● Special stream protection measures may need to be taken.
12	Mixed Density Residential Cluster Housing with Small Commercial Area	Residential= 40% OSR Commercial= 30% LSR	● Along S. Browns Lake Drive (CTH W).	● Yes, all direct vehicular access from S. Browns Lake Drive (CTH W).	● Several pedestrian access/linkages to the Fox River and to Subareas 10 and 11. ● Primary environmental corridors to be preserved. ● Special stream and woodland protection measures may need to be taken. ● Subneighborhood park planned for this Subarea.

Natural Resource Features Preservation

The health, safety, and welfare of the City and surrounding environs are, in part, dependent upon the preservation of its natural resources. Sound planning practice requires that the various natural resources of the City and surrounding environs should be held in high regard. Therefore, special emphasis must be given to the preservation of the City's and surrounding environs' natural resources, since these resources play an important role in defining the City of Burlington and its surrounding environs as a unique community.

In order to form a rational approach to addressing these issues, resources should be distinguished between different resource categories and components of the resource base (i.e., floodplains, woodlands, and other features). Most crucial of all is an understanding of the various interrelated aspects of the environment. Since each resource element, or environmental unit, is a component of one or more environmental systems, the protection of each resource feature and its function within that system is important.

The public role to be played in environmental resource protection logically follows from the essentially public character and impact of these resources. This public character and impact, coupled with the fact that the private market often does not adequately consider the protection of these resources, compels the government--in this case, the City of Burlington--to use its police powers to better guide the location, extent, and intensity of development in order to protect the environment insofar as public health, safety, and welfare are concerned.

Resource protection needs to be accomplished while, at the same time, protecting private property rights.

Obviously, natural resources, or environmental limitations such as floodplains or wetlands, are constraints on development in the City and surrounding environs as a whole as well as on specific sites. Since all sites are unique, the presence of these features may dramatically alter the development potential of certain sites within the City and surrounding environs. It must be understood that the emphasis relating to land development should be placed on working with the environment and avoiding construction in unsuitable areas.

Natural resource protection standards, such as those set forth in this Plan, when implemented, will assist in enabling the City to make environmentally sensitive decisions when reviewing development proposals. Such decisions should result in developments which are both consistent with the standards advanced as well as rational from a resource protection standpoint.

The Concept of Natural Resource Features Protection Standards

The natural resource protection standard concept is used as the basis for the minimum standards presented in this Plan for the protection of the following resources: water bodies including lakes and ponds (based upon size factors); streams; floodlands and floodplains (including 100-year recurrence interval floodplains and floodways which are already protected under the City of Burlington Zoning Ordinance); wetlands; and woodland and forest areas. These are the natural resource features which are closely associated with the maintenance of the public health, safety, and welfare of the City of Burlington and surrounding environs and which provide the community important benefits which are oftentimes ignored by the private market.

The natural resource protection standard, as used in this Plan, measures the proportion of the natural features of a site (excluding land occupied by public street rights-of-way), which will remain undeveloped and protected and is specifically designated for natural resource protection. The natural resource protection standards set forth in this Plan establish specific numerical levels (or standards) at which the natural resource feature should operate in the STH 36/83 North Corridor Plan planning area. Any development of the land must be done in such a way so that the natural resource continues to function at this minimum level. Natural resource features protection through this method is intended to benefit the City and surrounding environs as a whole by protecting the natural resource base features, providing (in some instances) passive, privately-owned recreational and open space areas, and by setting forth, or maintaining, the intrinsic natural character of an area. The use of natural resource protection standards does not require the designation of construction techniques or even specific site planning but rather allows the developer to choose his own system of providing for the continuation of the natural resource feature within the parameters of the minimum protection level specified by the natural resource protection standard.

The use of natural resource protection standards as a planning tool represents a sound land use planning approach towards the protection of an area's dwindling natural resource base. Such natural resource loss is typically caused by resource destruction due to growth and development.

Natural resource protection standards must be carefully constructed in order to ensure that the standards and resulting regulations are fair relative to both the community's and landowner's interests in order to avoid the "taking" of property or property rights. Balancing mechanisms within the regulatory process can be used--such as the on-site or off-site mitigation of some natural resource features--in order to reduce negative impacts to both the community and the landowner.

The intent of natural resource protection standards is to allow for the reasonable development of property (located in areas where development is planned to occur) while still preserving those natural resource features which are important to the City. In this respect, the natural resource protection standard can be defined--by providing a method for determining the amount of a resource to be protected--by the following simple equation as it relates to a single natural resource element:

$$\begin{array}{c} \text{Natural Resource Protection Standard} \\ \times \\ \text{Acres of Land In Resource} \\ = \\ \text{Amount of Resource to be Protected} \end{array}$$

An example of how this equation would work, for instance, for the protection of mature woodlands on a site 80 acres in size with 25 acres of such mature woodland areas is shown below. Under this scenario, it is assumed (as a local public policy) that the mature woodlands would be protected under a natural resource protection standard of 0.70.

Where,

$$\begin{array}{lcl} \text{Natural Resource Protection Standard} & = & 0.70 \\ \text{Acres of Land in Resource} & = & 25.0 \end{array}$$

Then,

$$0.70 \times 25.0 = 17.5$$

Therefore, based upon the above equation, 17.5 acres of the mature woodlands would have to be protected.

In situations where more than one natural resource element is present on the same area of land (i.e., areas where various natural resource features actually overlap), only the most restrictive natural resource protection standard is used for the purposes of protecting all of the affected resource features in the overlapping area. This occurs in the City often, particularly in the case of wooded wetland areas (such as those found in the STH 36/83 North Corridor Plan planning area) and wetlands which may be located within a 100-year floodplain.

This Plan's intended implementing regulations set specific definitions and levels of open space required to protect the City of Burlington and surrounding environs' natural resource features. In addition, such open space areas need not be under public ownership. Areas can be under private ownership as either a part of the individual lot or as an outlot under the ownership of a subdivision homeowners' association. Thus, the open space lands would remain on the City's tax rolls.

Table 2 indicates the City of Burlington's planned natural resource protection standards for the STH 36/83 North Corridor Plan planning area.

Table 2

NATURAL RESOURCE PROTECTION STANDARDS

NATURAL RESOURCE FEATURE	ZONING DISTRICT TYPE			
	Residential Zoning Districts		Nonresidential Zoning Districts	
	Protection Standard	Mitigation Permitted	Protection Standard	Mitigation Permitted
Woodlands & Forests	70%	Yes	60%	Yes
Lakes & Ponds	100%	No	100%	No
Streams	100%	Yes	100%	Yes
Floodplains/ Floodways/ Floodlands (a)	100%	Yes	100%	Yes
Wetlands (a)	100%	Yes	100%	Yes

(a) As regulated by the City of Burlington Zoning Ordinance and various County, State, and Federal regulations.

SITE LAYOUT PLAN

For STH 36/83 North Corridor Plan planning area, a detailed "Site Layout Plan" (see Map 4) was prepared based upon the "Concept Plan" presented earlier as Map 3. Map 4 graphically illustrates the planned land uses for the "Concept Plan" STH 36/83 North Corridor Plan planning area. The "Site Layout Plan" addresses the potential for flexible land division of the various parcels of land in the planning area into independent building lots. The "Site Layout Plan" addresses the following:

- Location, extent, and types of land uses for the planning area.
- Protection of existing natural resource features.
- Minimization of potentially adverse visual impacts for those traveling STH 36/83.
- Both existing and planned public collector and/or minor land access street right-of-way locations and alignments and related cul-de-sacs.
- General location of proposed private drives and related cul-de-sacs.
- Planned bicycle ways.
- Location of both existing and proposed lot/parcel boundary lines (including the planned division of the various vacant parcels of the planning area showing the general location of planned lot lines).
- Location of any planned subneighborhood parks.
- Location and extent of landscaped bufferyards and bufferyard easements.
- Vehicular access restricted areas and potential locations for shared access drives.
- Proposed crossings of the Fox River.
- Location of pedestrian access/linkage.
- Maximum floor area ratios.
- Minimum landscape surface ratios.

The "Site Layout Plan" (Map 4) is designed to accommodate, in some situations, the potential for the flexible amassing of lots to meet a variety of land use needs of the area and to accommodate a variety of land use types.

The "Site Layout Plan" (see Map 4) is further divided into twelve planned subareas. Each of these planned subareas is described in detail in Table 3 with land use types and other design qualities indicated.

Although not graphically indicated on the "Site Layout Plan" (Map 4), a municipal water well and/or tower may also be needed in the STH 36/83 North Corridor Plan planning area. However, detailed engineering studies necessary for such a determination are beyond the scope of this Plan.

MAP 4
SITE LAYOUT PLAN FOR THE
STH 36/83 NORTH CORRIDOR PLAN PLANNING AREA

Source: Meehan & Company, Inc.

<p style="text-align: center;">TABLE 3</p> <p style="text-align: center;">SITE LAYOUT PLAN FOR THE STH 36/83 NORTH CORRIDOR PLAN PLANNING AREA</p>					
Subarea Identification Number (see Map 4)	Characteristics of Subarea				
	General Description of Planned Land Uses and/or Circulation	Minimum Landscape Surface Ratios (LSR) or Open Space Ratio (OSR) Required	Landscaped Bufferyards	Planned Vehicular Access Limitations to Abutting Public Street	Other Comments
1	<ul style="list-style-type: none"> ● Redevelopment area requiring vehicular access management plan. ● The land uses planned for this area are retail sales/service. 	<ul style="list-style-type: none"> ● 20% LSR 	<ul style="list-style-type: none"> ● Along STH 36/83. 	<ul style="list-style-type: none"> ● Yes, along STH 36/83. 	<ul style="list-style-type: none"> ● Existing lots may need to be combined in order to properly redevelop this area. ● Shared vehicular driveway access between neighboring parcels to be achieved.
2	<ul style="list-style-type: none"> ● The land uses planned for this area are retail sales/services. ● Seven small and one large commercial parcels are planned. ● Two public streets are indicated which would link STH 36/83 with Teut Road. ● A detention or retention pond is proposed to be located in a low area at the northeast corner of the Subarea. 	<ul style="list-style-type: none"> ● 25% LSR 	<ul style="list-style-type: none"> ● Along STH 36/83 and between this Subarea and Subarea 3. 	<ul style="list-style-type: none"> ● Yes, to two locations indicated on Map 3 to access STH 36/83. 	<ul style="list-style-type: none"> ● Wetland area on northeast side of property to be preserved.

<p style="text-align: center;">TABLE 3</p> <p style="text-align: center;">SITE LAYOUT PLAN FOR THE STH 36/83 NORTH CORRIDOR PLAN PLANNING AREA</p>					
Subarea Identification Number (see Map 4)	Characteristics of Subarea				
	General Description of Planned Land Uses and/or Circulation	Minimum Landscape Surface Ratios (LSR) or Open Space Ratio (OSR) Required	Landscaped Bufferyards	Planned Vehicular Access Limitations to Abutting Public Street	Other Comments
3	<ul style="list-style-type: none"> ● The land uses planned for this area are 119 single-family residential lots of a "Conventional Subdivision" design with a minimum lot size of 10,000 square feet. ● One lot located at the southwest corner of the parcel is planned to be used as a new fire station site. ● Public streets are indicated which would serve the development and provide access to Subarea 2 and Teut Road. No direct vehicular access would be provided to STH 36/83. 	<ul style="list-style-type: none"> ● 0% OSR 	<ul style="list-style-type: none"> ● Along STH 36/83 and between this Subarea and Subarea 2. 	<ul style="list-style-type: none"> ● Yes, to use shared access with Subarea 2 	<ul style="list-style-type: none"> ● Primary environmental corridor to be preserved as "Preserved Open Space." ● A detention or retention pond is proposed to be located in a low area at the northern portion of the Subarea. ● Pedestrian access to the preserved open space area is to be provided.
4	<ul style="list-style-type: none"> ● The land uses planned for this area are highway service commercial. ● Subarea 4 is planned to accommodate 2 lots with a shared access to CTH W. 	<ul style="list-style-type: none"> ● 25% LSR 	<ul style="list-style-type: none"> ● Along STH 36/83 and S. Browns Lake Drive (CTH W). 	<ul style="list-style-type: none"> ● Yes, to the extent that existing conditions and already permitted access allow. 	
5	<ul style="list-style-type: none"> ● The land uses planned for this area are highway service commercial. ● Subarea 5 is planned to accommodate 3 lots with access to the planned southerly abutting public minor street. ● A detention or retention pond is proposed to be located in a low area at the western portion of the Subarea. 	<ul style="list-style-type: none"> ● 25% LSR 	<ul style="list-style-type: none"> ● Along STH 36/83 and S. Browns Lake Drive (CTH W). 	<ul style="list-style-type: none"> ● Yes, all direct vehicular access to be from S. Brown Lake Drive (CTH W). 	<ul style="list-style-type: none"> ● Direct shared vehicular access linkage to Subareas 6 and 7.

<p style="text-align: center;">TABLE 3</p> <p style="text-align: center;">SITE LAYOUT PLAN FOR THE STH 36/83 NORTH CORRIDOR PLAN PLANNING AREA</p>					
Subarea Identification Number (see Map 4)	Characteristics of Subarea				
	General Description of Planned Land Uses and/or Circulation	Minimum Landscape Surface Ratios (LSR) or Open Space Ratio (OSR) Required	Landscaped Bufferyards	Planned Vehicular Access Limitations to Abutting Public Street	Other Comments
6	<ul style="list-style-type: none"> ● The land uses planned for this area are institutional (St. Francis Retreat Center). 	<ul style="list-style-type: none"> ● 35% LSR 	<ul style="list-style-type: none"> ● Along STH 36/83. 	<ul style="list-style-type: none"> ● Yes, all direct vehicular access to be from a planned public minor street extending in an east/west direction from S. Browns Lake Drive (CTH W). 	<ul style="list-style-type: none"> ● Direct shared vehicular access linkage to Subareas 5 and 7. ● Primary environmental corridor to be preserved as "Preserved Open Space." ● Special stream protection measures may need to be taken.
7	<ul style="list-style-type: none"> ● The land uses planned for this area are low-density residential condominiums. ● Maximum net density (ND) on developable portions of Subarea 7 not to exceed 8 dwelling units per net acre. 	<ul style="list-style-type: none"> ● 40% OSR 	<ul style="list-style-type: none"> ● Along S. Browns Lake Drive (CTH W), the planned east/west public minor street, and along Subarea 7's eastern boundary with the St. Francis Retreat Center. 	<ul style="list-style-type: none"> ● Yes, all direct vehicular access to be from S. Browns Lake Drive (CTH W) and the planned east/west oriented public minor street. 	<ul style="list-style-type: none"> ● Direct shared vehicular access linkage to Subareas 5 and 6. ● Pedestrian access/linkage to the Fox River. ● Primary environmental corridor to be preserved as "Preserved Open Space." ● Special stream protection measures may need to be taken.
8	<ul style="list-style-type: none"> ● The land uses planned for this area are low-density residential condominiums. ● Maximum net density (ND) on developable portions of Subarea 8 not to exceed 8 dwelling units per net acre. 	<ul style="list-style-type: none"> ● 40% OSR 	<ul style="list-style-type: none"> ● Along Plank Road (CTH A) and S. Browns Lake Drive (CTH W). 	<ul style="list-style-type: none"> ● Yes, all direct vehicular access to be from Plank Road (CTH A). 	<ul style="list-style-type: none"> ● Pedestrian access/linkage to the Fox River. ● Primary environmental corridor to be preserved as "Preserved Open Space." ● Special stream protection measures may need to be taken.

<p style="text-align: center;">TABLE 3</p> <p style="text-align: center;">SITE LAYOUT PLAN FOR THE STH 36/83 NORTH CORRIDOR PLAN PLANNING AREA</p>					
Subarea Identification Number (see Map 4)	Characteristics of Subarea				
	General Description of Planned Land Uses and/or Circulation	Minimum Landscape Surface Ratios (LSR) or Open Space Ratio (OSR) Required	Landscaped Bufferyards	Planned Vehicular Access Limitations to Abutting Public Street	Other Comments
9	<ul style="list-style-type: none"> ● The land uses planned for this area are mixed use retail sales, service, & office. ● Subarea 9 is planned to accommodate 25 lots served by a combination of private drives and a public minor street. 	<ul style="list-style-type: none"> ● 25% to 30% LSR 	<ul style="list-style-type: none"> ● Along STH 36/83 and S. Browns Lake Drive (CTH W). 	<ul style="list-style-type: none"> ● Yes, all direct vehicular access to be from a planned new public street right-of-way on the south of the Subarea. 	<ul style="list-style-type: none"> ● Direct shared vehicular access linkage to Subarea 10. ● Pedestrian access/linkage to the Fox River. ● Primary environmental corridor to be preserved (Fox River corridor) as "Preserved Open Space." ● Special stream protection measures may need to be taken.
10	<ul style="list-style-type: none"> ● The land uses planned for this area are low-density residential condominiums. ● Maximum net density (ND) on developable portions of Subarea 10 not to exceed 8 dwelling units per net acre. ● A detention or retention pond is proposed to be located in a low area at the western portion of the Subarea. ● Subarea 10 is planned to be served by a public collector street located on its western edge (providing access to STH 36/83) and internal private drives. 	<ul style="list-style-type: none"> ● 40% OSR 	<ul style="list-style-type: none"> ● Along STH 36/83. 	<ul style="list-style-type: none"> ● Yes, all direct vehicular access to be from two locations: from a planned public collector street which is planned to intersect STH 36/83 and from a planned new public street right-of-way on the east side of the Subarea. 	<ul style="list-style-type: none"> ● Vehicular access linkages to Subarea 9 through the use of the planned public collector street. ● Pedestrian access/linkage to the Fox River and to Subarea 12 through the use of the Fox River bridge. ● Primary environmental corridors associated with the Fox River to be preserved as "Preserved Open Space." ● Special stream and woodland protection measures may need to be taken in order to achieve the 40% OSR and the natural resource protection levels described earlier in this Plan text.

<p style="text-align: center;">TABLE 3</p> <p style="text-align: center;">SITE LAYOUT PLAN FOR THE STH 36/83 NORTH CORRIDOR PLAN PLANNING AREA</p>					
Subarea Identification Number (see Map 4)	Characteristics of Subarea				
	General Description of Planned Land Uses and/or Circulation	Minimum Landscape Surface Ratios (LSR) or Open Space Ratio (OSR) Required	Landscaped Bufferyards	Planned Vehicular Access Limitations to Abutting Public Street	Other Comments
11	<ul style="list-style-type: none"> ● The land use planned for this area is a restaurant. ● Subarea 11 is planned to be served by a public collector street located on its eastern edge providing access to STH 36/83. 	<ul style="list-style-type: none"> ● 25% LSR 	<ul style="list-style-type: none"> ● Along STH 36/83. 	<ul style="list-style-type: none"> ● Yes, all direct vehicular access to STH 36/83. 	<ul style="list-style-type: none"> ● Vehicular access linkages to Subarea 10 through the use of the planned public collector street. ● Pedestrian access/linkage to the Fox River and to Subarea 12 through the use of the Fox River bridge. ● Primary environmental corridors to be preserved as "Preserved Open Space." ● Special stream protection measures may need to be taken.

<p style="text-align: center;">TABLE 3</p> <p style="text-align: center;">SITE LAYOUT PLAN FOR THE STH 36/83 NORTH CORRIDOR PLAN PLANNING AREA</p>					
Subarea Identification Number (see Map 4)	Characteristics of Subarea				
	General Description of Planned Land Uses and/or Circulation	Minimum Landscape Surface Ratios (LSR) or Open Space Ratio (OSR) Required	Landscaped Bufferyards	Planned Vehicular Access Limitations to Abutting Public Street	Other Comments
12	<ul style="list-style-type: none"> ● The land uses planned for this area are mixed density residential cluster housing with a "Cluster/Open Space Subdivision" and/or "Conventional Subdivision" design (not large lot). ● The area is intended to be developed as a "traditional neighborhood." ● Maximum net density (ND) on developable portions of Subarea 12 not to exceed 5 dwelling units per net acre for the single-family detached dwelling units and 8 dwelling units per acre for the low-density residential condominium dwelling units. (a) ● Subneighborhood park planned for this Subarea. ● Subarea 12 is planned to be served by several public minor streets and a north/south oriented public collector street which provides access to STH 36/83. 	<ul style="list-style-type: none"> ● Residential = 40% OSR 	<ul style="list-style-type: none"> ● Along S. Browns Lake Drive (CTH W). 	<ul style="list-style-type: none"> ● Yes, all direct vehicular access from S. Browns Lake Drive (CTH W) as well as a bridge over the Fox River to provide vehicular access to STH 36/83. 	<ul style="list-style-type: none"> ● Several pedestrian access/linkages to the Fox River and to Subareas 10 and 11 through the use of the Fox River bridge. ● Primary environmental corridors to be preserved as "Preserved Open Space." ● Special stream and woodland protection measures may need to be taken.

- (a) At its meeting of September 8, 1998, the Plan Commission decided to eliminate the earlier proposed small commercial area from Subarea 12 which was shown in the "Concept Plan" for the STH 36/83 North Corridor Plan Planning Area (see Map 3) and replace that commercial area with low-density residential condominiums.

ZONING AND THE COMPREHENSIVE ZONING PLAN FOR PLAN IMPLEMENTATION

It is the City's intent that the City's zoning ordinance be one of the several primary implementing tools of the STH 36/83 North Corridor Plan. A zoning ordinance is a legal means for both guiding and controlling development within the City limits, so that an orderly and desirable pattern of land use can be achieved which conforms to the City Master (Comprehensive) Plan and its elements. It contains provisions for regulating the use of property, the size of lots, the intensity of development, the provision of open space, and the protection of natural resources. The City's existing Zoning Ordinance should be amended as necessary to make zoning a more effective tool for implementing the STH 36/83 North Corridor Plan.

Following the adoption of this Plan by the City, the City Plan Commission should initiate appropriate amendments to the City's Zoning Ordinance to bring the Zoning Ordinance into conformance with the concepts and proposals advanced by this Plan. In making any amendments to the City zoning map portion of the Zoning Ordinance, however, it is cautioned that no "over zoning" be done. In this regard, it is the policy of the City not to zone land for more than about five years of additional planned growth. All rezoning applications in City portions of the STH 36/83 North Corridor area should be carefully reviewed relative to the Plan for the area.

Subsequent petitions for zoning boundary and text amendments to the zoning map of the City's Zoning Ordinance should be accompanied by a statement of the proposed zoning change, its compatibility with the Plan, and the conditions warranting a zoning change. Rezoning should be consistent with the Plan.

Similarities between planned land uses and the Plan implementing zoning districts are intended to assure consistency between the Plan and its implementing City of Burlington zoning regulations. Without a significant level of consistency between the City of Burlington's Plan and its implementing zoning districts, it will be very difficult for the City Plan Commission to adequately use the Plan to its full power.

Zoning districts which specifically deal with natural resource features (i.e., specific floodplain, wetland, conservancy, etc.) are not specified under the natural resource protection standards approach used by this Plan. The protection of natural resources is intended to be accomplished through the use of the existing City floodplain and shoreland-wetland zoning regulations set forth in the City of Burlington Municipal Code and through the use of natural resource protection standards in both this City master (comprehensive) plan element and through amendment to the City Zoning Ordinance.

Residential Zoning Districts for Plan Implementation

Terms and Definitions

The following definitions for terms used will assist in the understanding of the various residential land zoning district design criteria. The terms are defined as follows:

- Cluster/Open Space Subdivision. as stated earlier in this Plan, a "Cluster/Open Space Subdivision" is a subdivision with a required minimum open space ratio as well as other design features which foster compact development.
- Conventional Subdivision. As stated earlier in this Plan, a "Conventional Subdivision" is a subdivision with no required minimum open space ratio.
- Minimum Lot Size. The smallest lot size allowed.
- Minimum Lot Width. The smallest lot width permitted for a buildable lot within a development.
- Maximum Gross Density (GD). The value used to determine the maximum number of dwelling units that may be placed on the overall acreage of a site including land required for public street rights-of-way and other open space. Gross density is also based upon the natural resource protection lands (and associated limitations) which are a part of the overall site.
- Maximum Net Density (ND). The value used to determine the maximum number of permitted dwelling units physically located within the buildable portion of the site. This excludes any required open space areas or areas to be preserved for natural resource protection land (conservancy lands including lakes, ponds and streams; 100-year recurrence interval floodplains and floodways; wetlands; and forest or woodland areas).
- Open Space. As stated earlier in this Plan, "Open Space" is any site, parcel, area, or outlot of land or water essentially unimproved and set aside, dedicated, designated, or reserved for the public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space. Land that is to be used primarily for resource protection, agriculture, recreational purposes, planned stormwater detention/retention areas, or otherwise left undisturbed and specifically excluding road rights-of-way and buildable lots. Open space land would not be occupied

by nonrecreational buildings, roads, drives, public rights-of-way, or off-street parking areas for nonrecreational uses. Land located within the yards (i.e. front, side, rear yards) of residential and/or nonresidential properties is not considered open space unless it is deed restricted in perpetuity for open space protection or natural resource features protection. Where lots are above the minimum lot size required and the excess lot area is deed restricted in perpetuity to open space uses, those areas which are deed restricted may be counted towards the minimum required open space.

- Open Space Ratio (OSR). The number derived by dividing the open space of the site by the base site area. When applied to natural resource protection, the open space ratio shall include the natural resource feature(s) to be protected. Minimum requirements for open space ratios are set forth for the various zoning district types in Table 2.

Changes will need to be made in the existing City of Burlington Zoning Ordinance in order to implement natural resource protection, open space ratio, and landscape surface ratio levels set forth under the provisions of the STH 36/83 North Corridor Plan.

Residential Zoning Districts

The following residential zoning districts are intended to be used in the STH 36/83 North Corridor Plan planning area in order to implement the Plan:

- Rs-2 Single-Family Residence District (existing district)
- TN-R Traditional Neighborhood Residential District (new district)
- Rm-3 Low Density Multiple-Family Residential District (new district)

The following are detailed descriptions of the various residential zoning districts proposed to be used in the STH 36/83 North Corridor Plan planning area and their respective dimensional and bulk regulations, requirements, and design standards.

Rs-2 Single-Family Residence District

The City's existing R-2 Single-Family Residence District zoning classification is intended to be used in portions of Subarea 3 of the STH 36/83 North Corridor Plan planning area.

TN-R Traditional Neighborhood Residential District

The TN-R Traditional Neighborhood Business District is a new zoning district and is intended to be used in the residential designated portions of Subarea 12 of the STH 36/83 North Corridor Plan.

The TN-R Traditional Neighborhood Residential District is further intended to:

1. Be used exclusively in areas of the City planned for traditional neighborhood development of a residential nature (such as Subarea 12 of the STH 36/83 North Corridor Plan planning area).
2. Be served by public sanitary sewer and water supply facilities.
3. Provide areas of open space.
4. Be adjacent to areas zoned in the TN-B Traditional Neighborhood Business District.

The TN-R Traditional Neighborhood Residential District is further intended to have the development standards as set forth below.

Type of Standard	One-Family Detached Dwelling Structures	Maximum Two Attached D.U.s (Two-Family Structures)	Multiple-Family Attached Dwelling Units with More Than Two D.U.s per Structure
Minimum Open Space Ratio and Maximum Density			
Open Space Ratio (OSR)	0.40	0.40	0.40
Gross Density (GD)	1.76	5.00	8.00
Net Density (ND)	3.068	5.00	8.00
Lot Dimensional Requirements			
Minimum Lot Area (s.f.)	10,000 per dwelling unit (a)	6,000 per dwelling unit (a)	43,560 (a)
Minimum Lot Width at Setback Line (feet)	70 & 90-corner	60 & 75-corner	150
Minimum Front Yard (feet)	25	25	30
Minimum Side Yard (feet)	10	10	20
Minimum Side Yard on Corner Lot (feet)	20	15	30
Minimum Rear Yard (feet)	25-dwelling unit & 10-garage	25-dwelling unit & 10-garage	50
Minimum Shore Yard (feet)	75	75	75
Maximum Lot Coverage (maximum percent of lot area)	0.20	0.35	N/A
Maximum Building Height			
Principal Structure (stories/ft.)	2.5/30	2.5/30	3.0/45
Accessory Structure (stories/ft.)	Not Permitted (attached garages required)	Not Permitted (attached garages required)	1.0/15

N/A = NOT APPLICABLE

(a) Any subdividing of land which occurs within the TN-R District shall follow a general grid or cluster pattern of lot and street layout and shall be in general conformance with the lot layout generally described in this Plan or other element of the City's Comprehensive Master Plan.

Rm-3 Low Density Multiple-Family Residential District

The Rm-3 Low Density Multiple-Family Residential District is a new zoning district. The Rm-3 District is the least dense of the multiple-family residential district types. The RM-3 District is intended to be used in the low-density residential portions of Subareas 7, 8, and 10 of the STH 36/83 North Corridor Plan planning area.

The RM-3 Low Density Multiple-Family Residential District is intended to:

1. Establish and preserve low density, multi-family residential districts in the City in a way that is consistent with the City of Burlington Master (Comprehensive) Plan and elements thereof.
2. Provide areas of open space.
3. Be used as a transitional district between the less dense RD-2 District and other higher intensity RM-1, RM-2, commercial, or institutional districts with the provision of adequate landscape bufferyards.
4. Be served by public sanitary sewer and water supply facilities.

The RM-3 District is further intended to have the development standards as set forth below:

Type of Standard	Multiple-Family Attached Dwelling Units with More Than Two D.U.s per Structure
Minimum Open Space Ratio and Maximum Density	
Open Space Ratio (OSR)	0.40
Gross Density (GD)	8.00
Net Density (ND)	8.00
Lot Dimensional Requirements	
Minimum Lot Area (s.f.)	43,560
Minimum Lot Width at Setback Line (feet)	150
Minimum Front Yard (feet)	30
Minimum Side Yard (feet)	20
Minimum Side Yard on Corner Lot (feet)	30
Minimum Rear Yard (feet)	50
Minimum Shore Yard (feet)	75
Maximum Lot Coverage (maximum percent of lot area)	N/A
Maximum Building Height	
Principal Structure (stories/ft.)	3.0/45
Accessory Structure (stories/ft.)	1.0/15

N/A = NOT APPLICABLE

Nonresidential Zoning Districts for Plan Implementation

Terms and Definitions

The following definitions for terms used will assist in the understanding of the various nonresidential zoning district design criteria. The terms are defined as follows:

- **Landscape Surface Ratio (LSR).** As indicated earlier in this Plan, the minimum proportion of a site which must be devoted to natural, undisturbed and/or vegetated/revegetated areas, and can include planned stormwater detention/retention ponds. Such areas do not include areas which are paved or upon which buildings are located.
- **Gross Floor Area Ratio (GFAR).** An intensity measured as a ratio derived by dividing the total gross floor area of a building or structure by the total gross site area. This number includes those portions of a site where there are natural resource features which would have to be preserved and includes those portions set aside to meet landscape surface ratio (LSR) requirements.
- **Net Floor Area Ratio (NFAR).** The maximum proportion of floor area to buildable portion of the site. This number excludes those portions of a site where there are natural resource features which would have to be preserved and excludes those portions set aside to meet landscape surface ratio (LSR) requirements.
- **Minimum Lot Size.** As indicated earlier in this Plan, the smallest permissible lot size allowed in the zoning district.

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- Minimum Lot Width. As indicated earlier in this Plan, the smallest lot width permitted within the lot boundaries between the side lot lines.
 - Maximum Building Height. The maximum height of the building as measured by the number of stories and/or feet. The number of stories is used to set the maximum net floor area ratio (NFAR) described earlier.

Nonresidential Zoning Districts

The following nonresidential zoning districts are intended to be used in the STH 36/83 North Corridor Plan planning area in order to implement the Plan:

- B-1 Neighborhood Business District (existing district)
- B-3 Professional Office District (existing district)
- B-4 Highway Business District (new district)
- I-1 Institutional District (existing district)

The following are detailed descriptions of the various nonresidential zoning districts proposed to be used in the STH 36/83 North Corridor Plan planning area and their respective dimensional and bulk regulations, requirements, and design standards.

B-1 Neighborhood Business District

The City's existing B-1 Neighborhood Business District zoning classification is intended to be used in portions of Subareas 1, 2, 11, and portions of Subarea 9 of the STH 36/83 North Corridor Plan planning area. In Subarea 1, the landscape surface ratio is to be a minimum of 20%. As indicated in Table 3, in the retail sales and service portions of Subareas 2, 9, and 11, the landscape surface ratio is to be a minimum of 25%.

B-3 Professional Office District

The City's existing B-3 Professional Office District zoning classification is intended to be used in portions of Subarea 9 of the STH 36/83 North Corridor Plan planning area. As indicated in Table 3, in professional office areas of Subarea 9, the landscape surface ratio is to be a minimum of 30%.

B-4 Highway Business District

The B-4 Highway Business District is a new zoning district and is planned to be used in Subareas 4 and 5 of the STH 36/83 North Corridor Plan planning area to accommodate automobile-oriented sales and service establishments found exclusively along formally designated federal, state, or county trunk highways and designated local arterial streets. The sales and service may be for the customer arriving by car or for the automobile itself. The character of the B-4 District is automobile-oriented. The B-4 District is characterized by business establishments that have on-site parking for customer automobiles.

The B-4 Highway Business District is designed to:

1. Provide for relatively small retail sales and service establishments.
2. Accommodate a wide-range of retail business and complementary uses to serve a trade area reaching out several miles or more and embracing a large segment of an urban, suburban, and rural region including areas found outside the City of Burlington.
3. Be served by public sanitary sewer and water supply facilities.

The B-4 District is further intended to have the development standards as set forth below:

Type of Standard	Standard
Landscape Surface Ratio and Floor Area Ratios	
Minimum Landscape Surface Ratio (LSR)	0.25
Maximum Gross Floor Area Ratio (GFAR)	0.15
Maximum Net Floor Area Ratio (NFAR)	0.20
Lot Dimensional Requirements	
Minimum Lot Area (s.f.)	40,000
Minimum Lot Width at Setback Line (feet)	150
Minimum Front Yard (feet)	30
Minimum Side Yard (feet)	15
Minimum Side Yard on Corner Lot (feet)	30
Minimum Rear Yard (feet)	30
Minimum Shore Yard (feet)	75
Maximum Building Height	
Principal Structure (stories/ft.)	1.0/30
Accessory Structure (stories/ft.)	1.0/15

I-1 Institutional District

The City's existing I-1 Institutional District zoning classification is intended to be used in Subarea 6 of the STH 36/83 North Corridor Plan planning area. As indicated in Table 3, Subarea 6 is to have a minimum landscape surface ratio of 35%.

PUBLIC INFORMATIONAL MEETINGS, HEARINGS, AND STH 36/83 NORTH CORRIDOR PLAN ADOPTION

Wisconsin planning enabling legislation does not require local plan commissions to hold public hearings on proposed plans prior to adoption. It is, nevertheless, good planning practice to have active citizen participation throughout the plan preparation process. Public hearings and related public informational meetings are desirable to acquaint residents and landowners with the details of a plan and to solicit public reaction to plan proposals. A number of public Plan Commission meetings were held during 1998 and 1999 and a public hearing was held on April 13, 1999, relating to the STH 36/83 North Corridor Plan. Public comment was welcomed and considered in the preparation of the STH 36/83 North Corridor Plan. The adopting resolutions for both Plan Commission and Common Council adoption of the STH 36/83 North Corridor Plan are set forth in Appendices A and B.

LAND DIVISION PLAT REVIEW

This Plan should serve as the basis for the review of land divisions in the STH 36/83 North Corridor Plan planning area including both subdivision plats as well as certified survey maps. Any proposed departures from this Plan should be carefully reviewed by the City Plan Commission following the various criteria for Plan amendment set forth in this Plan and should be made by the City Plan Commission only when it finds that such departures are in the public interest.

OFFICIAL MAPPING

State law allows the City of Burlington to use the provisions of Section 62.23(6) which provides that the Common Council may establish an "official map" for the precise identification of right-of-way lines and site boundaries of streets, highways, waterways, parkways, and the location and extent of railway rights-of-way, public transit facilities, parks, and playgrounds. Such a map has the force of law and is deemed to be final and conclusive with respect to the location and width of both existing and proposed streets, highways, waterways, and parkways and

the location and extent of railway rights-of-way, public transit facilities, parks, and playgrounds.

The official map is a precise planning tool to implement public plans including detailed development plans, such as the "Site Layout Plan" for STH 36/83 North Corridor Plan planning area, described earlier. One of its basic purposes is to prohibit the construction of buildings or structures and their associated improvements on land that has been designated for future public use. The official map operates on a community-wide basis in advance of land development and can, thereby, effectively assure the integrated development of the street and highway system. Unlike subdivision control, which operates on a plat-by-plat or certified survey map basis, the official map can operate over the entire City in advance of development proposals.

The official map is a useful device for achieving public acceptance of long-range plans. It serves legal notice of the government's intention to all parties concerned well in advance of any actual improvements. It avoids the altogether too common situation of development being undertaken without knowledge or regard for long-range plans and can help avoid public resistance when Plan implementation becomes imminent.

The City of Burlington has such an official map. The existing adopted official map, however, does not currently extend into the STH 36/83 North Corridor Plan planning area. Therefore, it is recommended that the City prepare and adopt an amendment to the official map which addresses the various official map related aspects of the STH 36/83 North Corridor Plan planning area.

STH 36/83 NORTH CORRIDOR PLAN AMENDMENT AND UPDATE

One of the most trite expressions used in planning is: "the plan is not cast in concrete." At one time, this phrase was intended to convey the message that a plan could be modified, if need be, to meet changing conditions or to correct errors. The phrase has now become the standard introduction for a handy catch-word to justify deviating, or simply ignoring, a community's plan or a community's plan element.

Changes in long-range planning documents, such as this Plan, are inevitable. This Plan is based on various types of data which, if faulty or outdated, could cause the need for reassessment of the Plan. Thus, this Plan needs a certain amount of flexibility to deal with unforeseen situations without requiring a Plan amendment.

If a plan needs frequent amending, residents and local officials will begin to think of a plan amendment as a normal "everyday" occurrence rather than an action which should be undertaken only after careful study. In addition, landowners and citizens may also lose faith in the plan itself and find their public trust in the plan greatly compromised. There are various strategies the City has adopted as an integral part of this Plan to minimize the number of amendments needed.

The following sets forth the ground rules for updating this Plan.

Types of Plan Changes

Basically, there are two types of plan changes--the periodic update and the correction. The periodic update is like "fine-tuning" a plan; that is, it adjusts the course of the plan according to changing conditions or new information. The correction is exactly what it sounds like. If a plan is based on faulty data, a correction may need to be made in the plan text or map that was based on the faulty data. All changes to this Plan or its component parts should be accomplished by formal Plan Commission resolutions.

Rationale and Justification for Plan Amendment

Adjustments to this Plan should be made as required by changing conditions. Consequently, one of the important tasks of Plan implementation is a periodic reevaluation of this Plan to ensure that it continues to properly reflect current conditions. It is recommended that general Plan reevaluation take place on at least an annual basis, or more frequently as changing conditions in the community may warrant. Since communities are dynamic rather than static places of human habitat, they continue to evolve and change as long as they exist. This phenomena may become considerably recognizable if sanitary sewer becomes available in the planning area or a major development is proposed which is different than the types of development advanced by this Plan. Thus, periodic monitoring and updating is an integral part of this Plan.

Factors contributing to the possible need to amend this Plan are due to the long-range nature of this type of document. These factors are laid-out to provide the necessary guidance in conducting a Plan amendment. The important aspect of Plan amendment, however, is that it should not be taken lightly. A Plan amendment should be undertaken only after careful study and by reason of one of the following basic six factors--projections, assumptions, data error, new issues, comprehensiveness, and data updates/emergence of new data.

Projections and Forecasts: Plans are influenced by projections or forecasts because plans deal with future situations. If projections or forecasts are in error, or require modification due to the emergence of new data, then this Plan or its component elements may need to be adjusted. The City should monitor this Plan and its various elements based on the preparation of new projections or forecasts. Comparisons should then be made between what was projected or forecast and what is actually happening. If warranted and deemed necessary by the Plan Commission, this Plan should be amended to accommodate the new projections or forecasts.

Assumptions: A number of assumptions have been made upon which this Plan and its various elements are to be based. In particular, these assumptions have to do with the timely provision of municipal infrastructure to adequately service the area in the near future.

As stated earlier, the City should review this Plan on an annual basis--affording an opportunity to review and reexamine the accuracy of any assumptions upon which this Plan was based.

Data Error: An error in planning data differs from an assumption in that the faulty information is quantifiable. A new arterial street may be under construction and designed to meet certain specifications. A construction error, new federal standards, or other factors may result in the street not being placed or functioning as planned. This, too, requires a plan reassessment and, perhaps, a plan amendment.

New Issues: Issues may evolve that were not critical or foreseen when this Plan was initially developed. For example, community character is an issue that tends to stay in the background until it is almost too late to save it. New issues may require modification of Plan text or map to effectively deal with the new issues presented. New factors affecting current issues can also present situations where this Plan or its component elements may have to be amended.

Comprehensiveness: The various elements of this Plan are well addressed and flexible to guide future City actions and specific growth decisions. This Plan recognizes, however, that some elements may benefit from more detailed study and analysis--for example, the need for a redevelopment plan and vehicular access management plan for Subarea 1 (see Map 3). For major issues that require greater analysis than offered by this Plan, a Plan amendment may be justified if additional analysis presented to the City indicates such an amendment is needed. The amendment may be authorized by the Plan Commission at any time. The further detailed planning of specific areas of the planning area, as described earlier, would also fall into this type of Plan amendment.

Data Updates/Emergence of New Data: The maps and data upon which this Plan is based are factual in nature but some types of data are temporal as well as factual in nature and, therefore, may change through time. Thus, the general annual review of this Plan is necessary and, where deemed appropriate by the Plan Commission, amendments to this Plan should be made to keep this data current.

Plan Amendment Process

It is critical to have and to follow guidelines when determining if an amendment to the Plan, or one of its elements or components, is appropriate. All data and assumptions should be reviewed in detail at meetings where City officials and citizens are provided information on all new factors which might affect this Plan. Officials and citizens should be asked to submit any additional concerns of their own. This Plan should be revised in a manner similar to its original development, with citizen participation and by Plan Commission resolution, prior to any Plan change or rezoning recommendation.

In developing this Plan, special care has been taken to provide flexibility within land use classifications. Only a major change in land use, such as one involving significant changes in community or neighborhood character, intensity, or required services, would require a Plan amendment. This Plan also has built-in assumptions that provide a cushion to ensure that uses are not so tightly drawn that this Plan would require frequent changes. Therefore, the need for Plan changes on a yearly basis is unlikely, but a general review on a yearly basis is still important. A change to this Plan every five years, therefore, may be a sufficient response to changing conditions or public attitudes.

Those seeking changes to this Plan must convince the Plan Commission that a real and immediate need for Plan change exists based on one of the six criteria outlined earlier and that the reasons are sufficiently strong to justify a change.



APPENDICES

Appendix A

CITY PLAN COMMISSION RESOLUTION FOR ADOPTING THE STH 36/83 NORTH CORRIDOR PLAN AS AN ELEMENT OF THE CITY OF BURLINGTON MASTER (COMPREHENSIVE) PLAN

WHEREAS, the City of Burlington, pursuant to the provisions of Section 62.23(1) of the Wisconsin Statutes, has created a City Plan Commission; and

WHEREAS, it is the duty and function of the City Plan Commission, pursuant to Section 62.23(2) of the Wisconsin Statutes, to make and adopt a master plan for the physical development of the City of Burlington; and

WHEREAS, Meehan & Company, Inc., a professional land planning firm, assisted the City of Burlington Plan Commission in the preparation of a master (comprehensive) plan element titled STH 36/83 North Corridor Plan dated August 1998 for a portion of the City of Burlington and surrounding environs; and

WHEREAS, Section 62.23(3)(b) of the Wisconsin Statutes authorizes and empowers the City Plan Commission of the City of Burlington to adopt elements of, and amendments and/or additions to, the City of Burlington Master (Comprehensive) Plan; and

WHEREAS, the City Plan Commission considers the aforementioned master (comprehensive) plan element titled STH 36/83 North Corridor Plan dated August 1998 to be a valuable guide to the future development of the City of Burlington and surrounding environs;

NOW, THEREFORE BE IT RESOLVED that pursuant to Section 62.23(3)(b) of the Wisconsin Statutes, the City of Burlington Plan Commission, on the ____ day of _____, 1998, hereby adopts the aforementioned master (comprehensive) plan element titled STH 36/83 North Corridor Plan dated August 1998 as an element of, and amendment and addition to, the City's master (comprehensive) plan to serve as a guide for the future development of the City of Burlington and surrounding environs.

BE IT FURTHER RESOLVED that the Secretary of the City of Burlington Plan Commission transmit a certified copy of this resolution to the Common Council of the City of Burlington.

Jeannie Hefty, Chairman
City of Burlington Plan Commission

ATTESTATION:

Christine Kerkman, City Clerk
City of Burlington

Appendix B

COMMON COUNCIL RESOLUTION FOR ADOPTING THE STH 36/83 NORTH CORRIDOR PLAN AS AN ELEMENT OF THE CITY OF BURLINGTON MASTER (COMPREHENSIVE) PLAN

WHEREAS, the City of Burlington, pursuant to the provisions of Section 62.23(1) of the Wisconsin Statutes, has created a City Plan Commission; and

WHEREAS, the City Plan Commission, pursuant to Section 62.23(2) of the Wisconsin Statutes, prepared with professional planning assistance from Meehan & Company, Inc. of Franklin, Wisconsin, a master (comprehensive) plan element titled STH 36/83 North Corridor Plan dated August 1998 for a portion of the City of Burlington and surrounding environs as an amendment and addition to, the City's Master (Comprehensive) Plan to serve as a guide for the future development of the City of Burlington and surrounding environs; and

WHEREAS, the City of Burlington Plan Commission did on the ____ day of _____, 1998, adopt by City Plan Commission Resolution No. ____ the plan titled STH 36/83 North Corridor Plan dated August 1998 as an element of, and an amendment and addition to, the City's master (comprehensive) plan and has submitted a certified copy of that resolution to the Common Council of the City of Burlington; and

WHEREAS, the Common Council of the City of Burlington concurs with the City Plan Commission and the plan titled STH 36/83 North Corridor Plan dated August 1998;

NOW, THEREFORE BE IT RESOLVED that the Common Council of the City of Burlington on the ____ day of _____, 1998, hereby adopts the plan titled STH 36/83 North Corridor Plan dated August 1998 as an element of, and an amendment and addition to, the City's master (comprehensive) plan to serve as a guide for the future development of the City of Burlington and surrounding environs.

Jeannie Hefty, Mayor
City of Burlington

ATTESTATION:

Christine Kerkman, City Clerk
City of Burlington